

Richard A. Illmer
Buffey Klein
HUSCH BLACKWELL LLP
1900 N. Pearl Street, Suite 1800
Dallas, Texas 75201
t: 214.999.6100
f: 214.999.6170
Rick.Illmer@huschblackwell.com
buffey.klein@huschblackwell.com

Lynn H. Butler
HUSCH BLACKWELL LLP
111 Congress Avenue, Suite 1400
Austin, Texas 78701
t: 512.479.9758
f: 512.226.7318
Lynn.Butler@huschblackwell.com

Counsel for Mechanics Bank

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

IN RE: MCCLAIN FEED YARD, INC., MCCLAIN FARMS, INC., AND 7M CATTLE FEEDERS, INC., Debtors. ¹	Chapter 7 CASE NO. 23-20084- SWE Jointly Administered
KENT RIES, CHAPTER 7 TRUSTEE FOR THE BANKRUPTCY ESTATES OF MCCLAIN FEED YARD, INC., MCCLAIN FARMS, INC., AND 7M CATTLE FEEDERS, INC., Plaintiff, v. COMMUNITY FINANCIAL SERVICES BANK; HTLF BANK; MECHANICS BANK; and RABO AGRIFINANCE, LLC., Defendants.	ADV. PROC. NO. 25-02005-swe Honorable Scott W. Everett

**MECHANICS BANK'S MOTION TO DISMISS TRUSTEE'S
SECOND AMENDED ADVERSARY COMPLAINT**

¹ The Debtors in these chapter 7 cases are: McClain Feed Yard, Inc. (Case No. 23-20084-SWE), McClain Farms, Inc. (Case No. 23-20085-SWE), and 7M Cattle Feeders, Inc. (Case No. 23-20086- SWE).

NO HEARING WILL BE CONDUCTED HEREON UNLESS A WRITTEN RESPONSE IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AT ROOM 1254, 1100 COMMERCE ST. DALLAS, TEXAS 75242, BEFORE CLOSE OF BUSINESS ON THE DATE WHICH IS AT LEAST 21 DAYS FROM THE DATE OF SERVICE HEREOF.

ANY RESPONSE SHALL BE IN WRITING AND FILED WITH THE CLERK, AND A COPY SHALL BE SERVED UPON COUNSEL FOR THE MOVING PARTY PRIOR TO THE DATE AND TIME SET FORTH HEREIN. IF A RESPONSE IS FILED A HEARING MAY BE HELD WITH NOTICE ONLY TO THE OBJECTING PARTY.

IF NO HEARING ON SUCH NOTICE OR MOTION IS TIMELY REQUESTED, THE RELIEF REQUESTED SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT OR THE NOTICED ACTION MAY BE TAKEN.

Pursuant to Federal Rules of Bankruptcy Procedure 7009 and 7012, Defendant Mechanics Bank (“Mechanics”) files this Motion to Dismiss (the “Motion”) *Trustee’s Second Amended Adversary Complaint* [ECF No. 48] (the “Complaint”) as to Mechanics.

Kent Ries, the Chapter 7 Trustee of the bankruptcy estates of McClain Feed Yard, Inc. (Case No. 23-20084-SWE), McClain Farms, Inc. (Case No. 23-20085- SWE), and 7M Cattle Feeders, Inc. (Case No. 23-20086- SWE) (the “Trustee”), asserts fifteen numbered counts in the Complaint. Mechanics moves to dismiss the counts as to Mechanics. Pursuant to Local Bankruptcy Rule 7001-1, Mechanics has contemporaneously filed its brief in support of the Motion which sets forth Mechanics’ arguments and authorities supporting the dismissal of the Trustee’s claims.

WHEREFORE, Mechanics Bank respectfully requests that this Court dismiss Trustee’s claims against Mechanics Bank and grant such other and further relief to which Mechanics Bank may be justly entitled.

Dated: July 24, 2025

Respectfully submitted,

/s/ Buffey Elizabeth Klein

Richard A. Illmer

State Bar No. 10388350

Buffey Klein

State Bar No. 24032515

Husch Blackwell LLP

1900 N. Pearl Street, Suite 1800

Dallas, Texas 75201

(214) 999-6100

(214) 999-6170 (fax)

rick.illmer@huschblackwell.com

buffey.klein@huschblackwell.com

Lynn Hamilton Butler

State Bar No. 03527350

111 Congress Avenue, Suite 1400

Austin, Texas 78701

Tel: (512) 472-5456

Fax: (512) 479-1101

lynn.butler@huschblackwell.com

COUNSEL FOR MECHANICS BANK

CERTIFICATE OF SERVICE

I hereby certify that on July 24, 2025, a true and correct copy of the foregoing was served upon all counsel of record pursuant to the Federal Rules of Bankruptcy Procedure.

/s/ Buffey Elizabeth Klein

Buffey Elizabeth Klein